

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

UNITED STATES OF AMERICA

v.

(1) WOODROW PAUL BURGESS  
a/k/a "Woody Burgess"

Docket No: 3:13cr185-RJC

SUPPLEMENTAL  
CONSENT ORDER AND  
JUDGMENT OF FORFEITURE  
PENDING RULE 32.2(c)(2)

BASED UPON the Defendant's plea of guilty and finding that there is a nexus between the property listed below and the offense(s) to which the Defendant has pled guilty and that the Defendant (or any combination of Defendants in this case) has or had a possessory interest or other legal interest in the property, IT IS HEREBY ORDERED THAT:

1. In addition to \$8,490,000 previously forfeited by Order of this Court (Docket No. 10), the following property in the possession of the United States is also forfeited to the United States pursuant to 18 U.S.C. §§ 982 and 924, and/or 28 U.S.C. § 2461(c), provided, however, that forfeiture of specific assets is subject to any and all third party petitions under 21 U.S.C. § 853(n), pending final adjudication herein:


- **One Browning high power 9mm handgun, serial number 511MV50765, purchased on or about November 14, 2007 with City of Cherryville ("City") check number 058864 in the amount of \$1,307.69;**
- **One Smith & Wesson MP 340, 357 caliber revolver, serial number DBP0061, purchased on or about February 22, 2008 with City check number 0059671 in the amount of \$865; and**
- **One Browning BPS shotgun, serial number 04144MR121 purchased on or about November 6, 2008 with City check number 061321 in the amount of \$385; and**

2. The United States Marshals Service, the investigative agency, and/or the agency contractor are authorized to take possession and maintain custody of the above specific asset(s).
3. If and to the extent required by Fed. R. Crim. P. 32.2(b)(6), 21 U.S.C. § 853(n), and/or other applicable law, the United States shall publish notice and provide direct written notice of forfeiture.
4. Any person, other than the Defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest.
5. Pursuant to Fed. R. Crim. P. 32.2(b)(3), upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of the property, including depositions, interrogatories, and request for production of documents, and to issue subpoenas pursuant to Fed. R. Civ. P. 45.
6. As to any specific assets, following the Court's disposition of all timely petitions, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.


The parties stipulate and agree that the aforementioned assets constitute property derived from or traceable to proceeds of Defendant's crimes herein and/or property involved in such crimes and are therefore subject to forfeiture pursuant to 18 U.S.C. §§ 982 and 924, and/or 28 U.S.C. § 2461(c). The Defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the

judgment against Defendant. If the Defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, Defendant hereby withdraws that claim. If Defendant has not previously submitted such a claim, Defendant hereby waives all right to do so. As to any firearms listed above and/or in the charging instrument, Defendant consents to any lawful disposition by the Government, including transfer to the City of Cherryville Police Department.

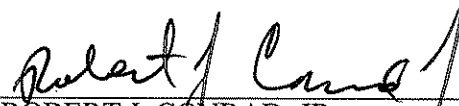
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WOODROW PAUL BURGESS  
Defendant

  
C. MELISSA OWEN, ESQ.  
Attorney for Defendant

Signed this the 21<sup>st</sup> day of October, 2014

  
ROBERT J. CONRAD, JR.  
UNITED STATES DISTRICT JUDGE